IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY EIGHTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 5984 of 2005

Between:

1 M/s. Sri Bhavani Wines, Kandi, Rep. by T. Srinivasa Rao, S/o. Venkat Rao, Occ: Business, R/o. Kalwakunta, Sanga Reddy, Medak District.
2 M/s. Kushi Wines,Sanga Reddy, Rep. by Sri K. Srinivas, S/o. Eswaraiah, R/o. /Sanga Reddy, Medak District.

..... PETITIONERS

AND

1 The Special Chief Secretary, Revenue (Excise-II) Department, Government of Andhra Pradesh, Secretariat, Hyderabad.
2 The Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Hyderabad.
3 The Excise Superintendent, Prohibition and Excise, Sanga Reddy, Medak District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in nature of Writ of Mandamus declaring G.O.Ms.No. 184, dt. 7-2-2005 issued by the Government of Andhra Pradesh, Revenue (Excise-II) Department as unconstitutional illegal and arbitrary and consequently set aside the same and direct the respondents to consider renewal of the existing licenses in accordances with law and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.CH.JAGANNADHA RAO

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

Challenging G.O. Ms. No. 184 Revenue (Excise-II) Department, dated 7.2.2005, petitioner fled this writ petition.

It is represented by both the counsel that a batch of Writ Petitions, covering the same subject matter, have been allowed by a learned single Judge of this court, and on appeal, the order of the learned single Judge was upheld by a Division Bench of this Court in W.A. Nos. 344 of 2005 and batch and hence this writ petition is also to be allowed.

In view of the said fact, this writ petition is also allowed at the stage of admission in terms of the observations made in the W.A. No. 344 of 2005 and batch. No costs.

---

kvsn 28-03-2005

To

1 The Special Chief Secretary, Revenue (Excise-II) Department, Government of Andhra Pradesh, Secretariat, Hyderabad.

2 The Commissioner of Prohibition and Excise, Government of Andhra Pradesh, Hyderabad.

3 The Excise Superintendent, Prohibition and Excise, Sanga Reddy, Medak District.

4 Two CCs to GP for Proh. & Excise, High Court buildings, Hyderabad.

5 Two CD copies.